

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

IN RE: VOLKSWAGEN “CLEAN DIESEL”      MDL No. 2672 CRB (JSC)  
MARKETING, SALES PRACTICES, AND  
PRODUCTS LIABILITY LITIGATION      **ORDER TO SHOW CAUSE**

This Order Relates To:

Remaining Consumer Actions

Pursuant to Pretrial Order No. 24, Plaintiffs who opted out of the 2.0-liter or 3.0-liter class action settlements and who had not since settled with or released their claims against the Volkswagen Defendants were required to “serve upon the Volkswagen Defendants’ counsel a complete and signed Plaintiff Fact Sheet (‘PFS’),” along with supporting documents, by Thursday, August 15, 2019. (*See* PTO 24, Dkt. No. 6300 at 1–2.)

The Volkswagen Defendants have identified thirteen plaintiffs who did not serve a completed PFS and supporting documents, as required, and have asked the Court to dismiss these plaintiffs’ cases unless good cause is shown. (*See* Dkt. No. 6697; Dkt. No. 6738 (amended list).) The thirteen plaintiffs in question are identified in the Appendix to this Order. The Court orders each of them to show cause, by **Wednesday, November 6, 2019**, for their noncompliance with Pretrial Order No. 24. Absent a showing of good cause, the Court may dismiss their cases. *See* Fed. R. Civ. P. 41(b) (“If the plaintiff fails to . . . comply with . . . a court order, a defendant may move to dismiss the action or any claim against it.”).

**IT IS SO ORDERED.**

Dated: October 30, 2019



CHARLES R. BREYER  
United States District Judge

## APPENDIX: LIST OF NON-COMPLIANT PLAINTIFFS

Plaintiff	Case Information	Counsel
Donna McQuiggan	<i>Allen et al. v. Volkswagen Group of America Inc.</i> , 16-cv-02424	Kent Law Offices
Tony Ray Byrum	<i>Byrum v. Volkswagen Group of America, Inc. et al.</i> , 17-cv-02685	APLC
Bev Johnson	<i>Cantu et al. v. Volkswagen Group of America, Inc. et al.</i> , 17-cv-03198	Law Office of Bobby Garcia PC; Eckerson Law Firm, PLLC
Jose Trevino	<i>Cantu et al. v. Volkswagen Group of America, Inc. et al.</i> , 17-cv-03198	Law Office of Bobby Garcia PC; Eckerson Law Firm, PLLC
Laura Torres	<i>Davila et al. v. Volkswagen Group of America, Inc. et al.</i> , 17-cv-02029	Law Office of Bobby Garcia PC; Eckerson Law Firm, PLLC
Miriam Martinez	<i>Davila et al. v. Volkswagen Group of America, Inc. et al.</i> , 17-cv-02029	Law Office of Bobby Garcia PC; Eckerson Law Firm, PLLC
John Michael Gullotti	<i>Jackson et al. v. Volkswagen Group of America, Inc.</i> , 16-cv-00616	MLG Automotive Law, APLC; Wesierski & Zurek, LLP
Camille Jackson	<i>Jackson et al. v. Volkswagen Group of America, Inc.</i> , 16-cv-00616	MLG Automotive Law, APLC; Wesierski & Zurek, LLP
Casandra Lane	<i>Lane v. Volkswagen Group of America, Inc.</i> , 16-cv-02175	Hossley Embry LLP
Mark R. Moskowitz	<i>Pease et al. v. Volkswagen Group of America, Inc.</i> , 16-cv-01820	Mark R. Moskowitz
Jay Rothman	<i>Rothman v. Motorcars West, LLC et al.</i> , 16-cv-04728	Law Offices of Robert B. Mobasseri, P.C.
Kathryn L. Shilling	<i>Shilling v. Volkswagen Group of America, Inc.</i> , 18-cv-00423	Kathryn L. Shilling
Robin L. Swanson	<i>Swanson et al. v. Volkswagen Group of America, Inc.</i> , 16-cv-04363	Underwood & Riemer, PC